

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091006

10/27/2003

HONORABLE LINDA A. AKERS

CLERK OF THE COURT  
M. Kay  
Deputy

IN RE THE MARRIAGE OF  
CONNIE LYNNE WORLEY

FILED: 10/29/2003

JAMES E VILES

AND

TIMOTHY ALLEN WORLEY

MICHAEL DAVID MILLER JR.

ALTERNATIVE DISPUTE  
RESOLUTION - CCC  
COMM. PASSAMONTE  
EXPEDITED SERVICES-SE

MINUTE ENTRY

10:34 a.m. This is the time set for Return Hearing re: Temporary Orders. Petitioner is present and represented by above named counsel. Respondent is present and represented by above named counsel.

A record of the proceeding is made by CD (FTR) in lieu of a court reporter.

Counsel advise the Court that the parties have reached the following agreement:

- Father shall have parenting time with the minor children every other weekend from Friday at 3:00 p.m. until Sunday at 5:00 p.m. Father may also have parenting time with the minor children on alternating weeks on Tuesday, Thursday, and Friday after school from 3:00 p.m. to 7:00 p.m.
- Mother shall be designated the primary residential parent.
- Father shall pickup the minor children after school by no later than 3:30 p.m. If Father is late picking up the children then Father shall be responsible for the costs associated with such.

Counsel for Respondent advises the Court that the Respondent's current address is 1710 S. Jen Tilly Street, Tempe, Arizona 85282.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091006

10/27/2003

**IT IS ORDERED** referring this matter to Expedited Services for a calculation of current child support and determination of child support arrearages if appropriate.

**IT IS FURTHER ORDERED** that the parties shall comply with all orders and instructions of Expedited Services.

**IT IS FURTHER ORDERED** affirming the settlement conference set for **February 5, 2004 at 9:00 a.m.** before Commissioner Passamonte. Counsel and/or the parties should not contact ADR directly. Counsel and/or the parties will receive a minute entry from ADR setting forth the necessary settlement conference information.

**IT IS FURTHER ORDERED** setting this cause for Trial to the Court on **February 12, 2004 at 1:30 p.m. (3 hours allowed)** in this Division, 222 East Javelina Drive, Courtroom 302, Mesa, Arizona.

**IT IS FURTHER ORDERED** any evidence intended to be submitted as exhibits at the time of the Trial must be brought to this Court's Clerk in Courtroom 302 no later than 12:00 p.m. January 30, 2004 with a coversheet listing the description of the exhibits. Any exhibits not submitted by 12:00 p.m. January 30, 2004 will not be accepted. Any objections to the exhibits shall be submitted by 12:00 p.m. February 4, 2004. All exhibits must be hand-delivered to the Clerk in Courtroom 302. Any exhibits dropped off in Judge Akers' mailbox without prior arrangements with the Division will be rejected.

**IT IS FURTHER ORDERED** all discovery shall be completed **30 days** before trial.

A Joint Pretrial Statement shall be filed pursuant to Rule 6.8(b), Local Rules of Maricopa County (Domestic Relations Proceedings) no later than **5 days** before the trial. If the parties want to make an opening statement, it may be included in the Pretrial Statement. In addition, each party shall attach to the Pretrial Statement:

1. An updated affidavit of the current financial circumstances pursuant to Rule 6.7, Local Rules of Maricopa County.
2. A current and detailed inventory and appraisal of the property and assets of the parties.
3. A proposal of how the property and assets should be divided and the proposed disposition of each issue before the Court.
4. A Child Support Worksheet completed pursuant to the Statewide Child Support Guidelines. If a jointly prepared Worksheet is not filed, each party shall file a completed Child Support Worksheet.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091006

10/27/2003

Pretrial motions not filed with the Pretrial Statement will be deemed waived. Postponements will be granted only in accordance with appropriate rules.

Failure of counsel or of any party to present the Joint Pretrial Statement in proper form including each and every attachment required shall, in the absence of good cause shown, result in the imposition of any or all available sanctions pursuant to Local Rule 6.2(e).

If this matter is settled and will proceed in the manner of a default, you may contact this division for an expedited hearing date.

Counsel are advised that if the presentation of evidence does not allow for closing arguments, the Court will direct the parties to submit written closing arguments. If time allows for closing arguments, the Court may hear closing arguments at that time.

Counsel shall call the division clerk at least **5 business days** before trial to make arrangements for marking exhibits. Counsel shall also be prepared to offer someone to assist the clerk in listing and tagging exhibits if the clerk determines that help is needed. The exhibits will be marked serially as they are listed in the pretrial statement - plaintiff's first, defendant's second. Please advise the clerk, referring specifically to the pretrial statement, which exhibits may be marked directly in evidence.

**IT IS FURTHER ORDERED** that in the event the parties have a natural or an adopted minor, unemancipated child in common, both parties shall have completed an approved Parent Education Program in accordance with A.R.S. § 25-831 et seq. Prior to the trial, and file proof thereof prior to or at the trial. **IF NEITHER PARTY HAS COMPLETED THE PARENT EDUCATION PROGRAM PRIOR TO THE TRIAL, THE COURT MAY VACATE THE TRIAL AND REQUIRE COMPLIANCE PRIOR TO PROCEEDING.** If only one party has completed the Parent Education Program, the Court may permit that party to proceed by default.

**IF EITHER PARTY FAILS TO APPEAR FOR TRIAL, THE TRIAL MAY NEVERTHELESS PROCEED, AND RELIEF MAY BE ENTERED IN FAVOR OF THE PARTY WHO HAS APPEARED.**

**IF BOTH PARTIES FAIL TO APPEAR, THE TRIAL MAY BE VACATED AND/OR THE ACTION MAY BE DISMISSED.**

**IT IS FURTHER ORDERED** that Mother shall have parenting time with the minor children on Thanksgiving Day, November 27, 2003, and Christmas Eve, December 24, 2003 and Christmas Day, December 25, 2003.

**IT IS FURTHER ORDERED** vacating the Return Hearing re: Contempt set in this matter on December 8, 2003 at 2:45 p.m. in this Division.

SUPERIOR COURT OF ARIZONA  
MARICOPA COUNTY

FC 2003-091006

10/27/2003

10:44 a.m. Conference concludes.

**NOTE: ALL COURT PROCEEDINGS ARE RECORDED BY AUDIO METHOD  
AND NOT BY A COURT REPORTER. ANY PARTY MAY REQUEST THE  
PRESENCE OF A COURT REPORTER BY CONTACTING THIS DIVISION THREE  
(3) COURT BUSINESS DAYS BEFORE THE SCHEDULED HEARING.**